

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Michel A. Maillard et al.

Confirmation No.: 6124

Application No.: 10/591,142

Art Unit: N/A

Filed: August 30, 2006

Examiner: Not Yet Assigned

For: SMARTCARD DYNAMIC MANAGEMENT

**DECLARATION BY JOEL WENGER**

1. I, Joel Wenger, am the head of Lemman Consulting S.A., and hold the position of European Patent Attorney.
2. I am responsible for providing our patent counsel in foreign countries with the necessary paperwork to file patent applications on behalf of Canal+ Technologies in their respective countries.
3. I am at least 21 years of age, I have firsthand knowledge of the facts set forth herein, and I am of sound mind and competent to make this declaration.
4. I am fluent in both French and English.
5. In the course of my duties, I worked with Nathalie Zaugg in attempting to obtain a signed Declaration from inventor Michel Maillard for U.S. Application Serial No. 10/591,142.
6. I sent a first letter to Michel Maillard, at his last known address on April 5, 2007. The letter included, as attachments, the PCT Application, as well as the corresponding Assignment and Declaration documents for Application Serial No. 10/591,142. See Tab 1 for a copy of the original French letter and a corresponding English translation, as well as a true copy of the registered mail receipt.
7. On April 19, 2007, I called Michel Maillard on his personal telephone number, which was obtained from Michel Maillard's previous employer. During our

conversation, Michel Maillard confirmed that he received the documents mailed to him, and told me that he refused to sign the Declaration for Application Serial No. 10/591,142 for personal reasons.

8. I sent a second letter on June 6, 2007, to Michel Maillard's last known address. The second letter included a copy of the US Application as filed, along with the Declaration and Assignment documents for Application Serial No. 10/591,142. See Tab 2 for a copy of the original French letter and a corresponding English translation. Consistent with his refusal to sign, Michel Maillard has not responded to our second letter.

I, Joel Wenger, hereby declare that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this day 13, of June 2007.

Joel Wenger



Monsieur  
Michel Maillard  
13 avenue du Parc  
78120 Rambouillet  
France

Par courrier recommandé

Nyon, le 5 avril 2007 / nz

Demande de brevet No 10/591,142 aux Etats-Unis  
« SmartCard Dynamic Management »  
N/Ref: P-13-0313-US

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Michel,

Comme tu le sais, la société Leman Consulting S.A. a repris la gestion de la demande de brevet ci-dessus.

Afin de compléter les formalités aux Etats-Unis, je te prierai de bien vouloir me retourner les documents joints dûment signés dès que possible, afin que nous puissions nous concentrer sur des tâches plus techniques. Une copie de la demande PCT est également jointe.

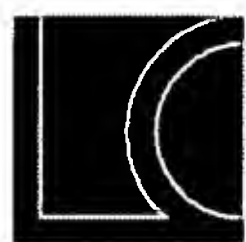
Je joins une enveloppe retour qui te permettra de me renvoyer les documents signés.

En temps remerciant par avance, je te prie de recevoir mes sincères amitiés.

Leman Consulting S.A.

Joel Wenger

Annexes : - Assignment  
- Declaration and Power of Attorney  
- Copie de la demande PCT WO 2005/091633



**LEMAN CONSULTING S.A.**

Intellectual Property Rights

TRANSLATION

Mr Michel Maillard  
13 avenue du Parc  
78120 Rambouillet  
France

By registered mail

Nyon, April 5, 2007 / nz

Patent Application No 10/591,142 in the USA  
« SmartCard Dynamic Management »  
O/Ref: P-13-0313-US

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Michel,

As you may know, Leman Consulting S.A. has taking over representation of the above patent application.

To complete the formalities in USA, I kindly ask you to sign the attached documents and return them as soon as possible, in order to dedicate our time to more essential tasks. A copy of the PCT patent application is also attached.

I enclose a return-envelope for sending back the signed documents.

I thank you in advance and best regards,

Leman Consulting S.A.

Joel Wenger

Enclosures :  
- Assignment  
- Declaration and Power of Attorney  
- Copy of the PCT patent application No WO 2005/091633

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Merci! Danke! Grazie! Grazie!

Veuillez conserv. la quitt.

Guichet 4  
Togni Paola

Monsieur  
Michel Maillard  
13 avenue du Parc  
78120 Rambouillet  
France

Par courrier recommandé

Nyon, le 6 juin 2007 / nz

Demande de brevet No 10/591,142 aux Etats-Unis  
« SmartCard Dynamic Management »  
N/Ref: P-13-0313-US

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Michel,

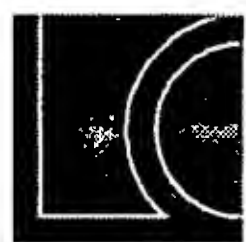
Pour faire suite à ma lettre du 5 avril 2007, je te remets une fois de plus les documents ci-joints que je te prierai de bien vouloir me les retourner dûment signés. Une copie de la demande américaine déposée aux Etats-Unis

En t'en remerciant par avance, je te prie de recevoir mes sincères amitiés.

Leman Consulting S.A.

Joel Wenger

Annexes : - Assignment  
- Declaration and Power of Attorney  
- Copie de la demande US



**LEMAN CONSULTING S.A.**

**Intellectual Property Rights**

## TRANSLATION

Mr Michel Maillard  
13 avenue du Parc  
78120 Rambouillet  
France

By registered mail

Nyon, June 6, 2007 / nz

Patent Application No 10/591,142 in the USA  
« SmartCard Dynamic Management »  
O/Ref: P-13-0313-US

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Michel,

Further to my letter of April 5, 2007, I am sending you again the documents attached.

I kindly ask you to return the signed papers as soon as possible. A copy of the US patent application as filed is attached.

Best regards,

Leman Consulting S.A.

Joel Wenger

Enclosures :  
- Assignment  
- Declaration and Power of Attorney  
- Copy of the US patent application